



July 10, 2015

To: Thomas J. Bonfield, City Manager

Through: Keith Chadwell, Deputy City Manager

From: William E. (Gene) Bradham, Durham City-County Inspections Director

Subject: Durham City-County Interlocal Cooperation Agreement for Inspections

Executive Summary: The Interlocal Cooperation Agreement for the City-County Inspections Department was originally adopted in June of 1993, and the basic Agreement has been extended, through new agreements, at periodic intervals since that time. The term of the current Agreement expired June 30, 2015. The Agreement presented for adoption will extend the joint operation of the Inspections Department to June 30, 2020. The City and County Managers' and Attorneys' Offices reviewed the current Agreement, and made no recommendations to revise the current Agreement.

Recommendation: Staff recommends approval of the Interlocal Cooperation Agreement for another five year term.

Background: The City-County Interlocal Cooperation Agreement for the Inspections Department was originally adopted in June of 1993, as a component of the merger of the City's and County's Inspections Departments. This Agreement was the implementation mechanism for the merged Department. The City-County Inspections Department generally ensures compliance with the NC State Building Code as well as certain aspects of the City/County Unified Development Ordinance. Consistency in enforcement between the jurisdictions has been a benefit of the Agreement, as well as the cost savings that are achieved from consolidation of virtually identical functions in one department. Most Inspections activities occur in the City, and since merger, the Department has been housed in the City.

During the most recent review of the Agreement by the City Manager's Office, the City Attorney's Office, the County Manager's Office, and the County Attorney's Office, no revisions were recommended.

The essential, substantive provisions of the Agreement, as they have been modified over the years, provide that: 1) the City-County Inspections Department is funded by fees collected by the Department; 2) the Director is selected jointly by the City and County Managers and is subject to annual joint review; 3) Departmental employees are City employees; 4) legal services are provided

by the jurisdiction from whom the matter in dispute arises; and 5) termination may occur if there is a default of certain obligations, and otherwise may occur only at the beginning of each fiscal year, upon either jurisdiction's giving notice by March 31st prior to the beginning of the next fiscal year.

The Agreement is being brought forward for adoption by the City Council. The County Board of Commissioners approved the Interlocal Cooperation Agreement for another five year term during their June 22, 2015 Board meeting. A final copy of the recommended Agreement is attached to this memorandum.

Issues/Analysis: No changes were recommended by the City and County Attorneys' Offices. The Agreement is the same as the current Agreement. Failure to adopt the Agreement could result in the dissolution of joint inspection services.

Alternatives: The City Council could decline to approve the Agreement or choose to make changes to the Agreement.

Financial Impact: Failure to approve the Interlocal Cooperation Agreement could result in reduced funding for the operation of the City-County Inspections Department.

SDBE Summary: Not applicable to this item.

Staff Contact: William E. (Gene) Bradham; gene.bradham@durhamnc.gov; 560-4145.

Attachments: Interlocal Cooperation Agreement for Inspections.